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Docket No.: 4266-0117PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Axel OETKEN et al.

Application No.: 10/559,926

Confirmation No.: N/A

Filed: December 8, 2005

Art Unit: N/A

For: CARGO-HOLD FLOOR FOR AIRCRAFT

Examiner: Not Yet Assigned

LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Sir:

Subsequent to the filing of the above-identified application on December 8, 2005, attached hereto is an English Translation of the International Preliminary Report on Patentability issued by the International Bureau on behalf of the International Searching Authority. Please make this document of record for the above-identified application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: January 4, 2007

Respectfully submitted,

By 
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Attachment(s)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference PF62439PC	FOR FURTHER ACTION	See item 4 below
International application No. PCT/EP2005/001324	International filing date (<i>day/month/year</i>) 10 February 2005 (10.02.2005)	Priority date (<i>day/month/year</i>) 11 February 2004 (11.02.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant PFALZ-FLUGZEUGWERKE GMBH		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 6 sheets, including this cover sheet.																								
	In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 60%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date of issuance of this report 04 October 2006 (04.10.2006)</td> </tr> <tr> <td style="padding: 2px;"> Authorized officer <div style="text-align: center; font-weight: bold;">Ellen Moyse</div> </td> </tr> <tr> <td style="padding: 2px;">e-mail: pt05@wipo.int</td> </tr> </table>	Date of issuance of this report 04 October 2006 (04.10.2006)	Authorized officer <div style="text-align: center; font-weight: bold;">Ellen Moyse</div>	e-mail: pt05@wipo.int
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference PF62439PC		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/EP2005/001324	International filing date (day/month/year) 10.02.2005	Priority date (day/month/year) 11.02.2004
International Patent Classification (IPC) or both national classification and IPC B64C1/20, B64D9/00, B60P7/08, B60P7/13		
Applicant PFALZ-FLUGZEUGWERKE GMBH		

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/IEP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001324

Box No. 1

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001324

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-22	YES
	Claims		NO
Inventive step (IS)	Claims	1-22	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-22	YES
	Claims		NO
2. Citations and explanations:			
1 Reference is made to the following documents:			
D1: US 4 077 590 A (SHOREY ET AL.) 7 March 1978 (1978-03-07)			
D2: EP 0 816 224 A (TELAIR INTERNATIONAL GMBH; TELAIR INTERNATIONAL CARGO SYSTEMS GMBH) 7 January 1998 (1998-01-07)			
D3: DE 11 22 379 B (DORNIER-WERKE G.M.B.H.) 18 January 1962 (1962-01-18)			
2 D1 is considered the closest prior art. It discloses (the references between parentheses apply to this document):			
<p>A cargo-hold floor for aircraft, in which inter- changeably arranged floor panels (31, 33), roller conveyor devices (251, 309, 351, 361), anchor points (53) for securing freight items, such as pallets, containers, vehicles or equipment items, and locking units (98) which comprise interlocking elements (100, 143) which can be swung open and closed, are provided, with roller conveyor devices (351, 361) which are integrated in the cargo-hold floor and locking units (308) being able to be accommodated at</p>			

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001324

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

the same installation location in the cargo-hold floor, both in their erected operating position and in their lowered transfer and storage position;

from which the subject matter of independent claim 1 differs in that the cargo-hold floor is accommodated on a grid structure, comprising longitudinal members and cross members, and anchor points are accommodated in a stationary manner on the grid structure at points at which the longitudinal members intersect the cross members.

- 2.1 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can therefore be considered that of providing a particularly versatile and lightweight cargo-hold floor with very stable anchor points.

- 2.2 The solution to this problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)) for the following reasons:

It would not be obvious to a person skilled in the art to use this solution, since this solution has not ever been previously proposed in this technical sphere in order to solve this problem.

- 2.3 Claims 2-22 are dependent on claim 1 and therefore likewise meet the PCT requirements for novelty and inventive step.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/001324

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 3.1 The syntax of claim 1 is defective. The expression "and with locking units (98) which comprise interlocking elements (100, 143) which can be swung open and closed" should not be assigned a verb or noun. As a result, the subject matter of said claim is not clearly defined (PCT Article 6).
- 3.2 In the application, the same components (98) are called both "interlocking support" and "locking support". It is advised to use a single term for this feature.